



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
JUDICIARY

Tuesday, September 13, 2016 12:00 p.m. Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of May 24, 2016. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

HB 4170 (Franz) Family law; marriage and divorce; veteran disability compensation; exclude from marital estate.

Representative Franz testified in support of the bill and the proposed substitute. Questions and discussion followed.

Bob Treat, representing the Family Law Section of the State Bar of Michigan, testified in opposition to the bill. Questions and discussion followed.

Jean Doss and Kathy Hagenian, representing the Michigan Coalition to End Domestic and Sexual Violence, submitted a card with no position but indicating that they have concerns.

Jean Doss, representing Rebecca Shiemke of the Michigan Poverty Law Program – Family Law, submitted a card in opposition to the bill.

Representative Lucido moved to adopt the substitute (H-1) to HB 4170. The motion prevailed, the vote being 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Chairman Kesto laid the following bills before the committee:

HB 4561 (Lucido) Courts; juries; juror compensation; increase.

HB 5727 (Lucido) Courts; juries; increase in juror compensation; provide for.

Chairman Kesto recognized Representative Lucido for an overview of the proposed substitute to HB 4561 and an overview of HB 5727. Representative Lucido gave an overview of the bills.

The following people submitted a card in support of HB 4561, but did not wish to speak:

Shelli Weisberg, representing the American Civil Liberties Union of Michigan.
Peter Cunningham, representing the State Bar of Michigan.

The following people submitted a card in support of HB 4561 and HB 5727, but did not wish to speak:

Mike Penty, representing the Prosecuting Attorneys Association of Michigan.
Tom Clement, representing the State Court Administrative Office.

Representative Lucido moved to adopt the substitute (H-4) to HB 4561. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,
Robinson, Chang, Guerra.
Nays: None.
Pass: None.

Representative Lucido moved to report out HB 4561 with recommendation as substitute (H-4). The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,
Robinson, Chang, Guerra.
Nays: None.
Pass: None.

Representative Lucido moved to report out HB 5727 with recommendation. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin,
Robinson, Chang, Guerra.
Nays: None.
Pass: None.

Chairman Kesto laid the following bill before the committee:

HB 5522 (Lucido) Civil procedure; costs and fees; fee for publication of legal notice;
eliminate sunset for annual increases for inflation.

The following people submitted a card in support of the bill, but did not wish to speak:

Lisa McGraw, representing the Michigan Press Association.

Andrew Richner, representing the Coalition for Public Notice / Detroit Legal News.

Representative Lucido moved to report out HB 5522 with recommendation. The motion prevailed, the vote being 10-0-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: Rep. Runestad

Chairman Kesto laid the following bills before the committee:

HB 5504 (Kesto) Civil procedure; statute of limitations; limitations period under uniform fraudulent transfer act for action relating to qualified dispositions in trust act; modify.

SB 597 (Schuitmaker) Probate; trusts; qualified dispositions in trust act; enact.

The following people submitted a card in support of the bills, but did not wish to speak:

David Worthams, representing the Michigan Bankers Association.

Robert Tiplady, representing the Probate and Estate Planning Section of the State Bar of Michigan.

Representative Lucido moved to adopt the substitute (H-1) to HB 5504. The motion prevailed, the vote being 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Representative Lucido moved to report out HB 5504 with recommendation as substitute (H-1). The motion prevailed, the vote being 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Representative Heise moved to adopt the substitute (H-1) to SB 597. The motion prevailed, the vote being 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Representative Heise moved to report out SB 597 with recommendation as substitute (H-1). The motion prevailed, the vote being 10-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: None.

Chairman Kesto laid the following bill before the committee:

SB 566 (Knollenberg) Torts; civil procedure; immunity from liability for damages of forcible entry into a motor vehicle for purpose of rescuing a minor or animal from vehicle; provide for.

Matt Patton, from Senator Knollenberg's office, testified in support of the bill. Questions and discussion followed.

Bee Friedlander, President of Attorneys for Animals, submitted a card and written testimony in support of the bill with recommendations.

Bob Darden, President of the Michigan Association for Pure Bred Dogs, submitted a card and written testimony in support of the bill with suggested changes.

Kim Cochran, Legislative Liaison with the St. Clair Kennel Club, submitted a card and written testimony in opposition to the bill as written.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:41 p.m.

Representative Klint Kesto, Chair_____

Melissa Weipert, Committee Clerk
House Judiciary Committee
mweipert@house.mi.gov
(517) 373-5176